IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 347 of 2006 (M/B)

Telu Ram S/o Sri Ruppa,
R/o Village Shantershah,
Pargana Jwalapur, Post Daulatpur,
Tehsil Roorkee, District Haridwar. …… Petitioner

Versus

1. State of Uttaranchal,
   through Collector, Haridwar.
2. Executive Engineer,
   Northern Division, Ganga Canal,
   Roorkee, District Haridwar.
3. Ziledar,
   II Northern Division, Ganga Canal,
   Haridwar. …… Respondents

Mr. A.K. Sharma, Advocate for the petitioner.
Mr. N.C. Gupta, Standing Counsel for the State of Uttaranchal.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. M.M. Ghildiyal, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. Arvind Kumar Sharma, Advocate for the petitioner.

Mr. N.C. Gupta, Standing Counsel for the respondents.

They are heard.

2. Petitioner Telu Ram has filed this writ petition for the following reliefs:

> "i. Issue a writ, order or direction in the nature of mandamus commanding the respondents not to evict and dispossessed the petitioner from the Plot No.- 455, situated in village Shantershah, Post Office Daulatpur, District Haridwar.
>
> ii. Issue a writ, order or direction in the nature of mandamus commanding the respondents to decide the representation of the petitioner dated 8.3.2006 (Annexure No. 3 to this Writ Petition).
>
> iii. Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

iv. Award the cost of petition in favour of the petitioner."

3. It is not in dispute that the term of the Patta granted to the petitioner vide Annexure 2 is to expire on 31st March, 2006. The petitioner cannot claim renewal of the Patta as of right. As such, the reliefs sought by the petitioner cannot be granted.

4. The petitioner, however, shall be at liberty to pursue his representation (Annexure 3) and to convince the authorities that the conditions which entitled the petitioner to grant of Patta still persist.

5. With the above observation, the writ petition stands disposed of.

(M.M. Ghildiyal, J.) **(Rajeev Gupta, C.J.)**
28.03.2006 **28.03.2006**

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